

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SIDNEY RUCKER,

CASE NO. 3:13-cv-344

Petitioner,

Judge Timothy S. Black

Magistrate Judge Michael R. Merz

-vs-

WARDEN, Lebanon Correctional
Institution,

Respondent.

JUDGMENT IN A CIVIL CASE

☐ **Jury Verdict:** This action came before the Court for a trial by jury. The issues have been tried and the Jury has rendered its verdict.

☒ **Decision by Court:**

IT IS ORDERED AND ADJUDGED that the Reports and Recommendations (Docs. 3, 7) of the United States Magistrate Judge are **ADOPTED** in their entirety; the Petitioner's Objections (Doc. 5, 9) are **OVERRULED**; the Petition (Doc. 2) is **DISMISSED WITH PREJUDICE**; any request for a certificate of appealability under 28 U.S.C. § 2253 (c) is **DENIED**; it is **CERTIFIED** that any appeal would be objectively frivolous and any request for leave to appeal *in forma pauperis* would be **DENIED**; and the case is **TERMINATED** from the docket.

Date: January 8, 2014

JOHN P. HEHMAN, CLERK

By: s/ M. Rogers

Deputy Clerk